

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Dedrick et al. Serial No.: To be assigned Filed: June 20, 2003 For: Treatment Method	Group Art Unit: To be assigned Examiner: To be assigned <hr/> Express Mail No. EV 351927914 US Mailed June 20, 2003
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INFORMATION DISCLOSURE STATEMENT

Box Patent Applications
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (attached hereto and listed on the attached revised Form PTO-1449) of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement is filed in accordance with the provisions of:

☒ **37 CFR §1.97(b)**

- within three months of the filing date of the application other than a continued prosecution application under 37 CFR § 1.53(d); **or**
- within three months of the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491, **or**
- before the mailing of the first Office action on the merits; **or**
- before the mailing of the first Office action after the filing of a request for a continued examination under 37 CFR § 1.114.

☐ **37 CFR §1.97(c)**

- by the applicant after the period specified in 37 CFR § 1.97(b), but prior to the mailing date of any of a final action under 37 CFR § 1.113, or a notice of allowance under 37 CFR § 1.311, or an action that otherwise closes prosecution in the application, and is accompanied by either the fee set forth in 37 CFR § 1.17(p) **or** a statement as specified in 37 CFR § 1.97(e), as checked below.

☐ **37 CFR §1.97(d)**

- after the period specified in CFR §1.97(c), and is accompanied by the fee set forth in 37 CFR §1.17(p) **and** a statement as specified in 37 CFR §1.97(e), as checked below.

[If either of boxes 37 CFR §1.97(c) or 37 CFR §1.97(d) is checked above, the following statement under 37 CFR §1.97(e) may need to be completed.]

- ☐ **37 CFR §1.97(e)** Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ **37 CFR §1.704(d)** Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and the communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of this information disclosure statement. Therefore, in accordance with the provisions of 37 CFR §1.704(d), the filing of this information disclosure statement will not be considered a failure to engage in reasonable efforts to conclude prosecution under 37 CFR §1.704.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement under 37 CFR §1.17(p). Any deficiency or overpayment should be charged or credited to this deposit account.

A list of the patent(s) or publication(s) is set forth on the attached revised Form PTO-1449 (Modified).

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached PTO-1449 form are not supplied because they were previously cited by or submitted to the Office in prior application Serial Nos. 09/527,957 (filed March 17, 2000) and 09/819,921 (filed March 28, 2001), and relied upon in this application for an earlier filing date under 35 USC §120.

A concise explanation of relevance of the items listed on PTO-1449 is:

- ☒ not given
- ☐ given for each listed item
- ☐ given for only non-English language listed item(s) [Required]
- ☐ in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references.

In accordance with 37 CFR § 1.97(g), the filing of this information disclosure statement shall not be construed as a representation that a search has been made.

In accordance with 37 CFR § 1.97(h), the filing of this information disclosure statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 CFR § 1.56(b).

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 for this Information Disclosure Statement, or credit overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

GENENTECH, INC.

Date: June 20, 2003

By: _____

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PATENT TRADEMARK OFFICE

FORM PTO-1449		U.S. Dept. of Commerce Patent and Trademark Office		Atty Docket No. P1747R1D1C1	Serial No.		
LIST OF DISCLOSURES CITED BY APPLICANT (Use several sheets if necessary)				Applicant Dedrick et al.			
				Filing Date 20 Jun 2003	Group		
U.S. PATENT DOCUMENTS							
Examiner Initials		Document Number	Date	Name	Class	Subclass	Filing Date
	* 1	5,002,869	26.03.91	Schlossman et al.			
	* 2	5,071,964	10.12.91	Dustin et al.			
	* 3	5,622,700	22.04.97	Jardieu et al.			
FOREIGN PATENT DOCUMENTS							
Examiner Initials		Document Number	Date	Country	Class	Subclass	Translation Yes No
	* 4	8,815,518	10.11.88	AUSTRALIA			
	* 5	2,008,368	13.06.91	CANADA			
	* 6	289,949	11.11.88	EPO			
	* 7	346,078	13.12.89	EPO			
	* 8	379,904	01.08.90	EPO			
	* 9	387,668	19.09.90	EPO			
	*10	WO 88/06592	07.09.88	PCT			
	*11	WO 90/10652	20.09.90	PCT			
	*12	WO 90/15076	13.12.90	PCT			
	*13	WO 91/16927	14.11.91	PCT			
	*14	WO 91/16928	14.11.91	PCT			
	*15	WO 91/18011	28.11.91	PCT			
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	*17	WO 94/04188	03.03.94	PCT			
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	*19	Abramowicz et al., "Release of tumor necrosis factor, interleukin-2, and gamma-interferon in serum after injection of OKT3 monoclonal antibody in kidney transplant recipients" <u>Transplantation</u> 47(4):606-608 (Apr 1989)					
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